

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

DANIEL HERNANDEZ,

Defendant.

18 Cr. 834-04 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

WHEREAS on December 18, 2019, the Court imposed sentence on the defendant as set forth in a Judgment, dated December 20, 2019 (ECF No. 398);

WHEREAS on March 22, 2020, the defendant moved this Court for compassionate release pursuant to 18 U.S.C. § 3582(c)(1)(A)(i) (ECF No. 437);

WHEREAS on March 25, 2020, the Court denied the defendant's motion for failure to exhaust the administrative remedies set forth in 18 U.S.C. § 3582(c)(1)(A)(i) (ECF No. 440);

WHEREAS on March 31, 2020, now having exhausted his administrative remedies, the defendant renewed his motion for compassionate release pursuant to 18 U.S.C. § 3582(c)(1)(A)(i) (ECF No. 445);

NOW THEREFORE IT IS HEREBY ORDERED that, for the reasons set forth in an accompanying Opinion and Order, the Court grants the defendant's motion for compassionate release pursuant to 18 U.S.C. § 3582(c)(1)(A)(i);


IT IS FURTHER ORDERED that pursuant to 18 U.S.C. § 3582(c)(1)(A)(i), the Court hereby reduces the defendant's term of incarceration such that he is released from the custody of the Bureau of Prisons effective immediately;

IT IS FURTHER ORDERED that the defendant is hereby placed on supervised release and the Court re-imposes the terms and conditions of supervised release as set forth in the December 20, 2019 Judgment (ECF No. 398) with the following amendments:

1. The defendant shall serve the first four months of supervised release on home incarceration, to be enforced by GPS monitoring, at an address approved by the defendant's probation officer;
2. In light of the COVID-19 pandemic, the defendant must remain at his residence except to seek any necessary medical treatment or to visit his attorney, in each instance with prior notice and approval by the Probation Department; and
3. In the event the Probation Department is unable to implement GPS monitoring upon the defendant's release, the defendant is ordered to have daily contact with the defendant's probation officer through videoconferencing technology until GPS monitoring is implemented.

IT IS FURTHER ORDERED that the Court grants the Government's request that the docketing of this Order be delayed, such that this Order and the Court's accompanying Opinion and Order are not to be docketed until 4 p.m. on April 2, 2020.

SO ORDERED.

  
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PAUL A. ENGELMAYER  
United States District Judge

Dated: April 1, 2020  
New York, New York